

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (S) No. 2764 of 2007****PETITIONER**

- : 1. Subhash Chandra Verma, S/o Shri G.L.Verma Aged about 37 years, Assistant Teacher, Primary School – Balachhapar, Jashpurnagar Block – Jashpurnagar, Distt. – Jashpur (C.G.)
2. Pankaj Kumar Pandey, S/o Shri Harishankar Pandey, Aged about 36 years, Assistant Teacher, J.N.Hr. Sec. School Gamhariya, Jashpurnagar Block, Jashpurnagar Distt. - Jashpur (C.G.)
3. Sanjay Kumar Nande, S/o. Late Shri Neelamber Nande, Aged about 36 years, Assistant Teacher, J.N.Hr. Sec. School Gamhariya, Jashpurnagar Block Jashpurnagar Distt. – Jashpur (C.G.)
4. Arun Kumar Bhagat S/o. Shri Jainath Ram Bhagat, Aged about 36 years, Assistant Teacher, Middle School Gamhariya Jashpurnagar, Block Jashpurnagar, Distt. – Jashpur.

VERSUS**RESPONDENTS**

- : 1. State of Chhattisgarh & Others Through – The Secretary, Department of Tribal Welfare, D.K.S. Bhawan, Raipur (C.G.)
2. Commissioner Tribal Welfare Chhattisgarh Govt. Raipur.
3. Assistant Commissioner Tribal Welfare Distt. – Jashpur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.**Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.**

Present: Shri Anil Singh Rajput, Advocate for the petitioner.
Shri Vinay Pandey, Panel Lawyer for the State/respondents.

ORDER

(Passed on 7th day of May, 2007)

1. Learned counsel appearing for the petitioners submit that in respect of the petitioner no. 2 and 3 namely Shri Pankaj Kumar Pandey and Sanjay Kumar Nande, no grievance survives as the State

Government has already started paying increments as per law. With regard to petitioner no. 1 and 4, they have obtained B.T.I certificate on their own, in the course of their service.

2. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.
3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)**, subject to verification of the fact as to whether the petitioner has acquired B.T.I. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge